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EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 09/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/918,851

Applicant(s)

MCCALL ET AL.

Examiner

JEAN B. FLEURANTIN

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 21-60 remain pending for examination.

### ***Response to Applicant' Remarks***

2. Applicant's arguments filed on 15 June 2004 with respect to claims 21-60 have been fully considered but are not persuasive for the following reasons:

Applicants stated on page 9, that "there is very limited disclosure in Kurzius of anything like the 'enhancement objects' of the present invention. As first introduced beginning on page 4 of the specification of the present invention, 'object' are standardized descriptive elements or 'add-on' which may be used to supplement the data files being matched." In response, the examiner disagrees with the precedent argument. However, when read and analyzed in the light of the specification, the invention as claimed does not support applicants' argument. Moreover, the claims do not capture the essence of the invention as argued in applicants' remarks pages 9 and 10. It is important to note that applicants are interpreting the claims very narrow without considering the broad teachings of the reference used in the rejections. In paper no. 9, the examiner went through the claims phrase by phrase and referred to the prior art column and line as to where he has drawn the correspondence between applicants' claims phrases and prior art. By failing to address these correspondences, applicants have failed to rebut the examiner's prima facie case of obviousness uses for a different purpose which does not alter the conclusion that its use in a prior art device would be

Art Unit: 2172

prima facie obvious from the purpose disclosed in the reference. Furthermore, Kurzius discloses the recited limitations "the computer program is also operable to compare the candidate qualification data to a candidate map and design each candidate identifier to one of a plurality of categories of the candidate map in response to the compared candidate qualification data (see col. 2, lines 19-24)"; and "associated candidate identifiers correspond to candidate record that include candidate qualification data matching a category (see col. 8, lines 45-59)". Therefore, the aforementioned argument is moot.

The applicants fail to response to the objection of claims 36, 37 and 59 (see section 5 of the previous Office Action, Paper no. 9). Therefore the objection is maintained.

Applicants admit on page 10, that Kurzius teaches the claimed invention as indicated in column 8, lines 45-51, "any classification or specific candidate qualification data including, for example, technical qualifications, skills, experiences, educational background, desired position, certifications, or virtually any other piece of candidate qualification data entered by candidates in a candidate survey form".

MPEP 2111 Claim Interpretation; Broadest Reasonable Interpretation

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification" Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more

Art Unit: 2172

broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). The court found that applicant was advocating ... the impermissible importation of subject matter from the specification into the claim. See also In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definition or otherwise that may be afforded by the written description contained in application's specification.").

The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

For the above reasons, it is believed that the last Office Action was proper.

### ***Claim Objections***

3. Claims 36, 37 and 59 are objected to because of the following informalities: Claims 36, 37 and 59 recite a step for facilitating the creation of a specific function. It is noted that the language used therein does not require that the specific functions are created or implemented. Applicant is advised to make appropriate changes if the noted functions are intended to be created or implemented.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 21-60 are rejected under 35 U.S.C. 102(e) as being by 6,385,620 issued to Kurzius et al. ("hereinafter Kurzius").

As per claim 21, Kurzius discloses,, "a method of reciprocally publishing and matching data files" as a means of comparing the candidate qualification data to a candidate map, (see col. 2, lines 34-35), the method comprising the steps of:

"storing a Category A data file having a first set of characteristics" as a means of storing the received candidate profile in a candidate record, (see col. 2, line 30);

"storing a Category B data file having a second set of characteristics" as a database 30 includes a storage of job candidate qualification data and job posting information, (see col. 4, lines 33-39), and column 7, lines 9-22;

"associating a Category A enhancement object with the Category A data file" as to store the received candidate profile in a candidate record and generate a plurality of candidate identifiers associated with the parsed candidate qualification data, (see col. 2, lines 15-18);

Art Unit: 2172

"associating a Category B enhancement object with the Category B data file" as employer database 123 includes general information about employers who may have job postings included within job posting database 122, (see col. 7, lines 20-22);

"and automatically matching the Category A data file to the Category B data file" as candidate matching engine 38 performs processing and matching of candidate profiles with suitable job postings, (see col. 4, lines 44-46) "at least partially on the basis of the contents of the respective Category A and Category B enhancement objects" as a means of corresponding to the skills qualifications and experiences, such that the candidate can indicate a professed proficiency level or rating for each item of candidate qualification data listed on the candidate proficiency form, (see figure 15, col. 10, lines 14-25).

As per claim 22, Kurzius discloses, "wherein the Category A data file describes a job-seeker" as a particular job posting refers candidate's skills proficiency, (see col. 17, lines 57-60).

As per claim 23, Kurzius discloses, "wherein the Category B data file describes a job" as indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences and desired position, (see col. 8, lines 45-51).

As per claim 24, Kurzius discloses, "wherein the Category A enhancement object is an assessment of the thinking styles of the job-seeker, and wherein the Category B enhancement object is an assessment of the thinking styles required by the job" as candidate map 104 includes main indexing categories 402, in which main

indexing categories 402 may refer to technical qualifications, skills, experiences and desired position, (see col. 8, lines 41-51).

As per claim 25, Kurzius discloses, "wherein the Category A enhancement object is an assessment of the work preferences of the job-seeker, and wherein the Category B enhancement object is an assessment of the work styles required by the job" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences and desired position, (see col. 8, lines 41-51).

As per claim 26, Kurzius discloses, "wherein the Category A enhancement object is an assessment of the professional skills possessed by the job-seeker, and wherein the Category B enhancement object is an assessment of the professional skills required by the job" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences and desired position, (see col. 8, lines 41-51).

As per claim 27, Kurzius discloses, wherein the step of automatically matching the data files on the basis of the respective enhancement objects includes the step of automatically matching the data files at least partially on the basis of a comparison of the Category A enhancement object to the Category B enhancement object" as a method of automated comparing the candidate qualification data to a map candidate, (see col. 2, lines 26-37).

As per claim 28, Kurzius discloses, "a method further comprising the steps of: in response to a command from a first user, facilitating the creation of the Category A



enhancement object on the basis of input from the first user" (column 5, lines 49-62 and figure 3, element 108); in response to a command from a second user, facilitating the creation of the Category B enhancement object, wherein the creation of the Category B enhancement object occurs independently from the input provided by the first user (column 7, lines 822 and figure 3, element 124).

As per claim 29, Kurzius discloses "a method of reciprocally publishing and matching data files" as a means of comparing the candidate qualification data to a candidate map, (see col. 2, lines 34-35), the method comprising the steps of:

"storing a Category A data file having a set of characteristics corresponding to a Category A item" as means of storing the received candidate profile in a candidate record, (see col. 2, line 30);

"storing a Category B data file having a set of characteristics corresponding to a Category B item" as employer database 123 includes general information about employers who may have job postings included within job posting database 122, (see col. 7, lines 20-22);

"associating a plurality of Category A enhancement objects with the Category A data file" as to parse candidate qualification data in response to receiving a candidate profile (see col. 2, lines 13-16), "wherein each Category A enhancement object comprises a collection of supplemental data corresponding to the Category A item and arranged in object form" as to store the received candidate profile in a candidate record and generate a plurality of candidate identifiers associated with the parsed candidate

Art Unit: 2172

qualification data, in which each candidate identifier being linked to the candidate record, (see col. 2, lines 15-19);

"and matching the Category A data file to the Category B data file" as candidate matching engine 38 performs processing and matching of candidate profiles with suitable job postings, (see col. 4, lines 44-46).

As per claim 30, Kurzius discloses, "further comprising the step of providing the Category A data file, together with the Category A enhancement objects, to a Category B user" as an input corresponding to one of the candidate options is received by candidate web engine 22 in response to a selection of the candidate, the candidate option input received by candidate web engine 22 is compared to candidate option identifiers was selected by the candidate, (see col. 9, lines 25-31).

As per claim 31, Kurzius discloses, "further comprising the step of enabling the Category B user to choose whether to access any of the Category A enhancement objects with the Category A data file" as a means of sorting upon receiving a selected posting category from a candidate such that job posting records 124 presented to the candidate in the selected job posting category will be current as of the time of selection, (col. 11, lines 3-11).

As per claim 32, Kurzius discloses, "the method further comprising the step of associating a plurality of Category B enhancement objects with the Category B data file" as employer database 123 includes general information about employers who may have job postings included within job posting database 122, (see col. 7, lines 20-22).

As per claim 33, Kurzius discloses, "the method further comprising the step of providing the Category B data file, together with the Category B enhancement objects, to a Category A user" as a means of sorting upon receiving a selected posting category from a candidate such that job posting records 124 presented to the candidate in the selected job posting category will be current as of the time of selection, (col. 11, lines 3-11).

As per claim 34, Kurzius discloses, "wherein the Category A item is a jobseeker, and wherein the plurality of Category A enhancement objects are selected from the group consisting of a thinking styles assessment object, a work preferences assessment object, a professional skills assessment object, a mission statement and core values object, a past experiences timeline object, and a virtual interview object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 35, Kurzius discloses, "wherein the Category A item is a job opening" as the candidate is presented with further options to review job postings using the review job postings procedure (see col. 9, lines 37-39), "and wherein the plurality of Category A enhancement objects are selected from the group consisting of a preferred thinking styles assessment object, a preferred work preferences assessment object, a preferred professional skills assessment object, a day-in-the-life object, an organizational overview object, a group culture object, a relationship map

Art Unit: 2172

object, and a virtual interview object" as the candidate as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 36, Kurzius discloses, "a method of reciprocally publishing and matching data files" as a means of comparing the candidate qualification data to a candidate map, (see col. 2, lines 34-35), the method comprising the steps of:

"storing a Category A data file having a set of characteristics corresponding to a Category A item" as means of storing the received candidate profile in a candidate record, (see col. 2, line 30);

"storing a Category B data file having a set of characteristics corresponding to a Category B item" as employer database 1:23 includes general information about employers who may have job postings included within job posting database 122, (see col. 7, lines 20-22);

facilitating the creation of a Category A enhancement object in a standard format" as to parse candidate qualification data in response to receiving a candidate profile (see col. 2, lines 13-16), "wherein the Category A enhancement object comprises a collection of supplemental data corresponding to the Category A item and arranged in object form" as to store the received candidate profile in a candidate record and generate a plurality of candidate identifiers associated with the parsed

candidate qualification data, in which each candidate identifier being linked to the candidate record, (see col. 2, lines 15-19);

"associating the Category A enhancement object with the Category A data file" as to compare the candidate qualification data to a candidate map, (see col. 2, lines 20-21);

"and matching the Category A data file to the Category B data file" as candidate matching engine 38 performs processing and matching of candidate profiles with suitable job postings, (see col. 4, lines 44-46).

As per claim 37, Kurzius discloses, "the method further including the step of facilitating the creation of the Category A data file" as a means of generating a plurality of candidate identifiers associated with the parsed candidate qualification, (see col. 2, lines 31-32).

As per claim 38, Kurzius discloses, "wherein the Category A item is a job-seeker, and wherein the Category A enhancement object is a thinking styles assessment object" as the candidate as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 39, Kurzius discloses, wherein the Category A item is a jobseeker, and wherein the Category A enhancement object is a work preferences assessment object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences,

educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 40, Kurzius discloses, "wherein the Category A item is a job-seeker, and wherein the Category A enhancement object is a professional skills assessment object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 41, Kurzius discloses, "wherein the Category A item is a jobseeker, and wherein the Category A enhancement object is a mission statement and core values object" as candidate profiles that match job criteria listed in the new job posting may then ranked according to a qualitative scale of how well such candidate survey forms match the particular job posting, (see col. 15, lines 8-11).

As per claim 42, Kurzius discloses, "wherein the Category A item is a jobseeker, and wherein the Category A enhancement object is a past experiences timeline object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 43, Kurzius discloses, "wherein the Category A item is a jobseeker, and wherein the Category A enhancement object is a virtual interview object" as candidate map 104 includes main indexing categories 402, in which main indexing

Art Unit: 2172

categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 44, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a preferred thinking styles assessment object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, experiences, educational background and desired position, (see col. 8, lines 41-50).

As per claim 45, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a preferred work preferences assessment object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, (see col. 8, lines 41-48).

As per claim 46, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a preferred professional skills assessment object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, and wherein a general position type such as project management may further defined by technical expertise, (see col. 8, lines 41-51, col. 9, lines 4-9).

As per claim 47, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a day-in-the-life object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, (see col. 8, lines 41-51).

As per claim 48, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is an organizational overview object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 49, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a group culture object" " as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, and wherein a general position type such as project management may further defined by technical expertise, (see col. 8, lines 41-51, col. 9, lines 4-9).

As per claim 50, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a relationship map object" " as candidate map 104 includes main indexing categories 402, in which main indexing



categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, (see col. 8, lines 41-48).

As per claim 51, Kurzius discloses, "wherein the Category A item is a job opening, and wherein the Category A enhancement object is a virtual interview object" as candidate map 104 includes main indexing categories 402, in which main indexing categories 402 may refer to technical qualifications, skills, experiences, educational background and desired position, or virtually any other piece of candidate qualification data, (see col. 8, lines 41-51).

As per claim 52, Kurzius discloses, "a method of reciprocally publishing and matching data files" as a means of comparing the candidate qualification data to a candidate map, (see col. 2, lines 34-35), the method comprising the steps of:

"storing a Category A data file having a first set of characteristics" as a means of storing the received candidate profile in a candidate record, (see col. 2, line 30);

"storing a Category B data file having a second set of characteristics" as a database 30 includes a storage of job candidate qualification data and job posting information, (see col. 4, lines 33-39), and column 7, lines 9-22;

"identifying at least one Category A data file characteristic which must be met by the Category B data file" as a candidate matching process is performed by which particular job criteria for a particular job posting are matched to candidate qualification data of candidate record, (see col. 15, lines 8-32);

"and identifying at least one Category B data file characteristic which must be met by the Category A data file" as employers may have indicated certain job criteria that are mandatory or required for a particular job posting, (see col. 15, lines 8-32).

As per claim 53, Kurzius discloses, "the method further comprising the step of comparing the Category A data file to the Category B data file to determine if the identified Category A data file characteristic is met by the Category B data file" as a candidate matching process is performed by which particular job criteria for a particular job posting are matched to candidate qualification data of candidate record 108, (see col. 15, lines 3-6).

As per claim 54, Kurzius discloses, "the method further comprising the step of displaying the Category B data file to a Category A user only if the identified Category A data file characteristic is met by the Category B data file" as candidate matching engine 38 performs processing and matching of candidate profiles with suitable job postings, (see col. 4, lines 44-46).

As per claim 55, Kurzius discloses, "the method further comprising the step of displaying the Category A data file to a Category B user only if the identified Category A data file characteristic is met by the Category B data file" as an employer version of candidate review template 106 may include less fields or fields devoted to other information such as whether the candidate has received feedback on the displayed candidate record 108 or whether the employer wishes to indicate interest in the displayed candidate record 108, (see col. 6, lines 43-48).

As per claim 56, Kurzius discloses, "the method further comprising the step of scoring the Category A data file against the Category B data file only if the identified Category A data file characteristic is met by the Category B data file" as candidate profiles that match job criteria listed in the new job posting may then be ranked according to a qualitative scale of how well such candidate survey forms match the particular job posting, (see col. 15, lines 8-16).

As per claim 57, Kurzius discloses, "the method further comprising the step of scoring the Category B data file against the Category A data file only if the identified Category B data file characteristic is met by the Category A data file" as certain job criteria may be weighted heavier or lighter in view of assigned importance to a particular employer or a particular job posting, in which employers may have indicated certain job criteria that are mandatory or required for a particular job posting and other criteria that are preferred, (see col. 15, lines 14-19).

As per claim 58, Kurzius discloses, "the method further comprising the step of comparing the Category B data file to the Category A data file to determine if the identified Category B data file characteristic is met by the Category A data file" as a means of sorting upon receiving a selected posting category from a candidate such that job posting records 124 presented to the candidate in the selected job posting category will be current as of the time of selection, (col. 11, lines 3-11).

As per claim 59, Kurzius discloses, "the method further comprising the steps of: facilitating the selection, by a Category A user, of at least one Category A data file characteristic which must be met by the Category B data file" as a candidate matching

Art Unit: 2172

process is performed by which particular job criteria for a particular job postings are matched to candidate qualification data of candidate record 108, (see col. 15, lines 3-6);

"and facilitating the selection, by a Category B user, of at least one Category B data file characteristic which must be met by the Category A data file" as a means of sorting upon receiving a selected posting category from a candidate such that job posting records 124 presented to the candidate in the selected job posting category will be current as of the time of selection, (col. 11, lines 3-11).

As per claim 60, Kurzius discloses, "wherein the Category A data file describes a job-seeker and the Category B data file describes a job" as a candidate matching process is performed by which particular job criteria for a particular job posting are matched to candidate qualification data of candidate record 108, (see col. 15, lines 3-6).

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2172

### CONTACT INFORMATION


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 703 - 308-6718. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 703 - 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean Bolte Fleurantin

September 1, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER